PHRS _76-3898_

1 4 JAN 1977

MEMORANDUM FOR: Chief, Administration and Training Division, OS

FROM   : F. W. M. Janney
                  Director of Personnel

STATINTL SUBJECT   : ███████████████, Clerk-Stenographer
                  Request for Information on Back Pay Claims
                  Under Certain Conditions

REFERENCE   : Memo for D/Pers fr AC/A&TD/OS dtd 9 Nov 76,
                  same subj.

1.   Referent transmitted a memorandum from an Office of
Security employee requesting information concerning back pay claims
reported on in a 4 October 1976 Federal Employee's News Digest. The
original of the Digest article concerns two Comptroller General
decisions, B183086 and B184990 which interpret Civil Service Commission
regulations relative to assignments to positions graded at a higher
level than that of the assignee.

2.   The Office of the General Counsel has just completed a
study of the decisions and the regulations and law on which they are
based and has concluded that these decisions do not apply to Agency
positions or personnel. The CSC regulations involved in the Comptroller
General decisions are not directly applicable to Agency employees and
the Agency has no regulations of its own which mandate procedures com-
parable to the CSC regulations.

STATINTL 3.   Please advise Miss ████████ that while her memorandum only
asked for advice on filing a claim, we have reviewed her request as
if it were actually a claim and find no basis on which to approve it.
As noted above, the Comptroller General decisions are determined not
to be applicable to Agency positions or personnel. Neither do we find
there has been conflict in her assignment with Agency published regula-
tions relative to employee grade and the grade of the position of
assignment.

4.   We have attached a copy of the basic response to queries on
this matter. You may wish to transmit it to Miss ████████ STATINTL

(Signed) F. W. M. Janney
F. W. M. Janney

Att.